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**TO: Economic Support Supervisors
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**FROM: Amy Mendel-Clemens
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BHCE/BWP OPERATIONS MEMO

No.: 03-01

Date: 01/17/2003

Non W-2 [X] W-2 [X] CC [X]

PRIORITY: High

SUBJECT: Guideline for Establishment of Public Assistance Claims

CROSS REFERENCE: Operations Memo 01-54

EFFECTIVE DATE: Immediately

PURPOSE

This memo replaces Operations Memo 01-54 and clarifies guidelines for establishing claims for FS, MA, W-2, CC, and AFDC

BACKGROUND

There has been recent confusion with the language used in Operations Memo 01-54, which gives the policy for the time periods allowed to establish overpayment claims. The policy outlined in the previous memo was to be viewed as a guideline only. The purpose was to set standards of accountability and eliminate claim backlogs. It was not intended to bar establishment of a claim outside of that time period.

POLICY

Continue to establish claims whenever a group has received incorrect benefits that are subject to recovery.

Claims should be established before the last day of the quarter following the quarter in which the overpayment was discovered. However, this does not bar the establishment of claims that fall past this time frame. Claims for incorrect payments may be established up to six years after the discovery of the error. Please refer to Operations Memo 99-64, "*Self-Study Guide: Benefits Recovery-Determining Overpayments.*"

Example 1: If an overpayment is discovered on June 20th, it should be established by September 30th.

Example 2: If an overpayment is discovered on January 2nd, it should be established by June 30th.

CONTACTS

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Note: Email contacts are preferred. Thank you.